

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA

v.

EMMANUEL OLAKUNLE ATOYEBI

1:20CR 347 -1

The Grand Jury charges that:

COUNT ONE

On or about November 8, 2016, in the County of Guilford, in the Middle District of North Carolina, EMMANUEL OLAKUNLE ATOYEBI, an alien, cast a vote in an election held for the purpose of electing a candidate for the office of President, Vice President, Member of the United States Senate, and Member of the House of Representatives; in violation of Title 18, United States Code, Section 611(a).

COUNT TWO

On or about November 17, 2016, in the County of Guilford, and elsewhere in the Middle District North Carolina, EMMANUEL OLAKUNLE ATOYEBI, an alien, knowingly attempted to procure his naturalization as a United States citizen contrary to law, by making a false statement regarding his naturalization application, to wit:

- a. On Part 12, question 1 of ATOYEBI's naturalization application (Form N-400), in response to the question "Have you EVER claimed to be a U.S. citizen (in writing or any other way)?" he answered "no" when in fact as he then knew, he had claimed to be a United States citizen when he completed a voter registration application on June 17, 2012.
- b. On Part 12, question 2 of ATOYEBI's naturalization application (Form N-400), in response to the question "Have you EVER registered to vote in any Federal, State or local election in the United States?" he answered "no" when in fact as he then knew, he had registered to vote by completing a voter registration application on June 17, 2012.
- c. On Part 12, question 3 of ATOYEBI's naturalization application (Form N-400), in response to the question "Have you EVER voted in any Federal, State or local election in the United States?" he answered "no" when in fact as he then knew, he had voted in the 2016 General Election on or about November 8, 2016.

All in violation of Title 18, United States Code, Section 1425(a).

COUNT THREE

On or about November 17, 2016, in the County of Guilford, and elsewhere in the Middle District of North Carolina, EMMANUEL OLAKUNLE ATOYEBI, an alien, did knowingly subscribe as true under penalty of perjury under Title 28, United States Code, Section 1746, and present a false statement with respect to a material fact in an application required by the

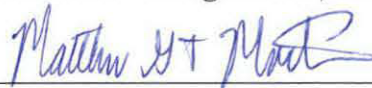
immigration laws and regulations prescribed thereunder in a manner contrary to law, that is, EMMANUEL OLAKUNLE ATOYEBI stated falsely in an Application for Naturalization, Form N-400: (1) that he had never claimed to be a United States citizen, when in fact, as he then and there knew, he had claimed to be a United States citizen in a voter registration application, on or about June 17, 2012; (2) that he had never registered to vote in any Federal, State, or local election in the United States, when in fact, as he then and there knew, he had registered to vote in a Federal, State or local election in the United States on or about June 17, 2012; (3) that he had never voted in any Federal, State, or local election in the United States, when in fact, as he then and there knew, he had voted in the 2016 General Election on or about November 8, 2016; in violation of Title 18, United States Code, Section 1546(a).

COUNT FOUR

On or about July 27, 2020, in the County of Guilford, in the Middle District of North Carolina, EMMANUEL OLAKUNLE ATOYEBI did willfully and knowingly make a materially, false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, by stating to federal agents that he did not vote in the 2016 General Election and that he had not communicated

with state election authorities regarding his registration to vote, when, as EMMANUEL OLAKUNLE ATOYEBI then and there well knew, he had in fact voted in the 2016 General Election and communicated orally and in writing with state election authorities regarding his registration to vote and voting; in violation of Title 18, United States Code, Section 1001(a)(2).

DATED: August 31, 2020



BY: MATTHEW G.T. MARTIN
United States Attorney

A TRUE BILL:



FOREPERSON